

Amend Title of Article 10.

The title of Article 10 is amended to reflect the current contents of this article. The maintenance, use, and occupancy requirement sections have been relocated to their related sections in other articles and the previous title is struck. The remaining sections concern Violations, Abatement, and Hearings and so the title is amended to reflect this.

Amend Section 1600.

Subsection (a) is the existing text rewritten for clarity. It is amended to reflect the contents of this article, the notification and abatement of substandard structures.

The previous section references to maintenance, use and occupancy are stricken because this article no longer applies to that subject.

Subsection (b) is added language that is copied from section 1634(b). This language is repeated to make it clear that changes to the regulations do not affect existing conditions unless they are unsafe or unsanitary. This is added because applicability to existing conditions was an issue raised repeatedly during focus group discussions and with previous rulemakings.

Amend Section 1602.

To remove previously deleted sections that contain no information.

Repeal Section 1604.

Subsection (a) is relocated to subsection 1102(a) in order to group general park requirements together.

Subsection (b) is deleted because the requirements contained in this subsection are already defined in article 2.

Adopt Section 1605.

This section is not new, it is relocated section 1640. It is relocated to place it in closer proximity to other substandard and abatement sections of article 10. Where necessary the subsections have been amended to change the conditional statements from positive to negative creating a definitive condition for noncompliance to reflect the grammatical and sentence structure changes of the introductory paragraph.

The title of this section is amended to include the word “permanent” to maintain consistency with the definitions in article 1.

This section is amended by striking the letter (a) because it is now an introductory paragraph describing how to determine substandard conditions. The text is amended to maintain consistency with the definitions for park building as defined in article 1. It is further amended by rewriting and relocating the text relating to the welfare of the occupants and the declaration of a building as substandard for clarity. The introduction is also amended because it is no longer in a list format. Other amendments are editorial for improved readability and the correction of sentence structure.

Subsection (a), previously subsection (b), is amended to include “Health hazards” because health hazards may exist, other than inadequate sanitation that may render a permanent building substandard. It is also amended editorially.

Subsections (a)(1) and (2) are amended by replacing the word “improper” with “Where required, the lack of, or inoperable, or defective” to provide language that is more specific, and not all buildings require plumbing.

Subsection (a)(3) is amended by inserting the words “or inadequate” because an inadequate supply of hot or cold water could also constitute a substandard condition.

In order to make each subsection contain a single subject, subsections are moved around with the section.

Subsections (a)(4) through (a)(6) are renumbered from subsections (b)(8) through (b)(10), there are no other amendments.

Subsection (a)(7) is renumbered from subsection (b)(11) and amended by adding the words “or defective” before the word “connection” because a defective connection of a plumbing fixture to a sewage disposal system could render a permanent building substandard just as well as the lack of connection.

Subsection (a)(8) is renumbered from subsection (b)(12) to keep the numbers in sequence. There are no further amendments.

Subsection (b), previously subsection (c), is amended editorially.

Subsections (b)(1) through (b)(9) have no amendments.

Subsection (b)(10) is renumbered from subsection (b)(6). There are no further amendments.

Subsection (c), previously subsection (d), is amended by providing reference to the definition of nuisance. This is necessary to avoid any possible confusion in the definition.

Subsection (d) is added as an introduction to the electrical hazards subsection.

Subsection (d)(1) is renumbered subsection (e) and amended to change the conditional statements from positive to negative creating a definitive condition for noncompliance. This is done because of the grammatical changes in the introductory paragraph.

Subsection (d)(2), previously subsection (b)(7), is amended by adding the words “or inoperable or defective” and deleting the word “required” because defective and inoperable lighting would also present a hazard and lighting is not always required in a permanent building.

Subsection (e) previously subsection (f) is amended to change the conditional statements from positive to negative creating a definitive condition for noncompliance. This is done because of the grammatical changes in the introductory paragraph.

Subsection (f) previously subsection (g) is amended to change the conditional statements from positive to negative creating a definitive condition for noncompliance. This is done because of the grammatical changes in the introductory paragraph.

Subsection (f)(1), previously subsection (b)(4), is amended by replacing the word “improper” with “Inoperable or defective” to provide language that is more specific and describes the qualification.

Subsection (f)(2), previously subsection (b)(5), is amended by replacing the word “improper operation of required” with “Inoperable or defective” to provide language that is more specific and describes the qualification.

Subsection (g), previously subsection (h), is amended editorially.

Subsections (g)(1) through (g)(4) have no amendments.

Subsection (h), previously subsection (i), has no other amendments.

Subsection (i), previously subsection (j), is amended by replacing the word “article” with “chapter” because the approved or allowed materials of construction are specified throughout the chapter, not limited to the article.

Subsection (j), previously subsection (k), has no amendments.

Subsection (k), previously subsection (l), is amended by striking reference to “structures, mobilehomes, recreational vehicles” because this section is limited to permanent buildings. The word “article” is replaced by “chapter” because exit requirements are specified throughout the chapter, not limited to the article. The words “and regulations” are added because exit requirements exist in regulations as well as in the laws. The word “improved” is replaced with “increased” because it better describes the requirement and relates to the increase in occupant load. Finally, the last sentence regarding unsafe conditions is struck because it does not identify a specific substandard condition and is unnecessary.

Subsection (l), previously subsection (l)(1), is amended by replacing the word “article” with “chapter” because fire prevention requirements are specified throughout the chapter, not

limited to the article. The words “and regulations” are added because fire prevention requirements exist in regulations as well as in the laws.

Subsection (m) has no amendments.

Subsection (n) is amended by replacing the word “article” with “chapter” because room and space requirements are specified throughout the chapter, not limited to this article.

Amend Section 1606.

This section is not new, it is relocated Section 1704. It is relocated to place it in closer proximity to other substandard and abatement sections of Article 10. Where necessary the subsections have been amended to change the conditional statements from positive to negative creating a definitive condition for noncompliance to reflect the grammatical and sentence structure changes of the introductory paragraph.

The title of this section is amended replacing the text “Mobilehome” with “MH-unit” because manufactured homes and multi-unit manufactured housing are also included in the provisions of this section and to reflect the actual contents of section.

The introductory paragraph is amended by striking the letter (a) because it is now an introductory paragraph describing how to determine substandard conditions. The text is amended to maintain consistency with the definitions for manufactured homes as defined in article 1. It is further amended by rewriting and relocating the text relating to the welfare of the occupants and the declaration of a manufactured home as substandard for clarity. The introduction is also amended because it is no longer in a list format. This section is also amended throughout by replacing the text “Mobilehome” with “MH-unit” because manufactured homes and multi-unit manufactured housing are also included in the provisions of this section. Other amendments are editorial for improved readability and the correction of sentence structure.

Subsection (a), previously subsection (b), is amended to include “Health hazards” because health hazards may exist, other than inadequate sanitation that may render a permanent building substandard. It is also amended editorially.

Subsection (a)(1) is amended by replacing the word “improper” with “inoperable or defective” to provide language that is more specific and describes the qualification. The end of the sentence specifying sanitary facilities located in the park is struck because it is unnecessary and is covered by the introductory paragraph of this section.

Subsection (a)(2) is amended by replacing the word “improper” with “lack of, or inoperable or defective” to provide language that is more specific and describes the qualification.

Subsection (a)(3) is amended by inserting the words “or inadequate” and deleted the word “required” because an inadequate supply of hot or cold water could also constitute a substandard condition and the lack of or inadequate water is sufficient to make it substandard. Additionally, the words “in a mobilehome” are deleted because this sections deals with mobilehomes and so is redundant.

Subsections (a)(4) through (a)(6) are renumbered from subsections (b)(8) through (b)(10), there are no other amendments.

Subsection (a)(7) previously subsection (b)(11), is amended by adding the words “or defective” before the word “connection”, and “of plumbing fixtures” after the word “connection” because a defective connection of a plumbing fixture to a sewage disposal system could render a permanent building substandard just as well as the lack of a connection. The word “required” is struck because it is unnecessary.

Subsection (b), previously subsection (c), is amended editorially.

Subsection (b)(1) is amended by adding the word “foundation or” after the word “inadequate” because mobilehomes and manufactured homes may be installed on foundation systems or stabilizing slabs and a deteriorated or inadequate foundation could constitute a substandard condition.

Subsections (b)(2) through (b)(4) have no amendments.

Subsection (b)(5) previously subsection (b)(6) is amended by adding the words “or defective” before the word “ventilation” because the lack of adequate or defective ventilation would constitute a substandard condition.

Subsection (b)(6) previously subsection (b)(7) has no additional amendments.

Subsection (c), previously subsection (d), is amended by providing reference to the definition of nuisance and striking the text and subsections which define nuisance. This is necessary to avoid conflicting requirements and for clarity. Previous subsections (d)(1), (2), and (3) are deleted because they are contained in the definition referred to in section 1002 of this chapter.

Subsection (d), previously subsection (e), is amended because it is an introductory subsection for substandard electrical conditions. The previous language limited the condition to substandard wiring and there could be other electrical hazards besides wiring problems. Other amendments are editorial.

Subsection (d)(1) is amended to change the conditional statements from positive to negative creating a definitive condition for noncompliance . This is done because of the grammatical changes in the introductory paragraph.

Subsections (d)(2) through (d)(5) have no amendments.

Subsection (d)(6), previously subsection (b)(5), is amended by adding the words “or inoperable or defective electrical” to replace “adequate” to provide language that is more specific and describes the qualification.

Subsection (e), previously subsection (f), is amended because it is an introductory subsection for substandard plumbing conditions to be consistent with other language in this article. Other amendments are editorial.

Subsection (e)(1) is amended to change the conditional statements from positive to negative creating a definitive condition for noncompliance . This is done because of the grammatical changes in the introductory paragraph.

Subsections (e)(2) through (e)(5) have no amendments.

Subsection (f) previous subsection (g) is amended editorially.

Subsection (f)(1) is amended to change the conditional statements from positive to negative creating a definitive condition for noncompliance . This is done because of the grammatical changes in the introductory paragraph.

Subsection (f)(2) is amended by adding the words “unless their use is permitted by all applicable laws and regulations.” because there are some unvented appliances that are permitted and allowance must be made for their use.

Subsections (f)(3) and (4) have no amendments.

Subsection (f)(5), previously subsection (b)(4), is amended by replacing the word “adequate” with “or inoperable or defective” to provide language that is more specific and describes the qualification. The word “facilities” is struck because its meaning is confusing.

Subsection (g), previously subsection (h), is amended by striking the words “the following: (1)” to eliminate the subsection (1) because there is no longer a list. It is also amended editorially.

Subsection (h), previously subsection (i), is amended by adding the words “manufactured home or” because they are included by definition. The text “or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause.” is added at the end to include an additional provision that may increase the risk or the size of a potential fire.

Subsection (i) is new and added to clarify, that materials other than those approved by this chapter and those maintained in good and safe condition, could constitute substandard conditions. This is necessary to alert the reader to the possibility that materials not addressed in this chapter could be a fire hazard.

Subsection (j) is new and added to clarify that accumulations on the lot, of materials that could cause fire, health and safety hazards, constitute an unsafe, or substandard condition of

the unit. This is because the conditions listed pose hazards to the occupant as well as other residents within the park.

Subsection (k) is new and added to clarify that exits that are improper or inadequate could constitute a substandard condition. This is necessary because the lack of proper exit facilities could cause serious injury in the event of an emergency.

Adopt Section 1607.

This section is not new, it is relocated from section 1706. It is relocated to place it in closer proximity to other substandard and abatement sections of Article 10. Where necessary the subsections have been amended to change the conditional statements from positive to negative creating a definitive condition for noncompliance to reflect the grammatical and sentence structure changes of the introductory paragraph.

The introductory paragraph is amended by striking the letter (a) because it is now an introductory paragraph describing how to determine substandard conditions. The text is amended by striking the title because it is not consistent with the format of this article. It is further amended by rewriting and relocating the text relating to the welfare of the occupants and the declaration of a recreational vehicle as substandard for clarity. The introduction is also amended because it is no longer in a list format. Other amendments are editorial for improved readability and the correction of sentence structure.

Subsection (a), previously subsection (b), is amended by replacing the text “inadequate sanitation” with “Health hazards” because recreational vehicles are not required to have waste or sanitation systems. It is also amended editorially.

Subsection (a)(1) It is amended by adding the words “or defective” before the word “ventilation” because the defective ventilation constitutes a condition where fumes, gases, or moisture would accumulate.

Subsections (a) (2), (3), and (4) have no amendments.

Subsection (b), previously subsection (c), is amended editorially.

Subsections (b) (1), (2), and (3) have no amendments.

Subsection (c), previously subsection (d), is amended by providing reference to the definition of nuisance and striking the text and subsections which define nuisance. This is necessary to avoid conflicting requirements and for clarity. Previous subsections (d)(1), (2), and (3) are deleted because they are contained in the definition referred to in section 1002 of this chapter.

Subsection (d), previously subsection (e), is amended because it is an introductory subsection for substandard electrical conditions. The previous language limited the condition to substandard wiring and there could be other electrical hazards besides wiring problems. Other amendments are editorial.

Subsection (d)(1) is amended to change the conditional statements from positive to negative creating a definitive condition for noncompliance . This is done because of the grammatical changes in the introductory paragraph.

Subsections (d)(2) through (d)(5) have no amendments.

Subsection (e), previously subsection (f), is amended for grammatical clarity.

Subsection (e)(1) is amended to change the conditional statements from positive to negative creating a definitive condition for noncompliance. This is done because of the grammatical changes in the introductory paragraph.

Subsections (e)(2) through (e)(5) have no amendments.

Subsection (f) previous subsection (g) is amended editorially.

Subsection (f)(1) is amended to change the conditional statements from positive to negative creating a definitive condition for noncompliance . This is done because of the grammatical changes in the introductory paragraph.

Subsection (f)(2) is amended by adding the words “unless their use is permitted by all applicable laws and regulations.” because there are some unvented appliances that are permitted and allowance must be made for their use.

Subsections (f)(3) and (4) have no amendments.

Subsection (g), previously subsection (h), is amended by striking the words “the following: (1)” to eliminate the subsection (1) because there is no longer a list. It is also amended editorially.

Subsection (h), previously subsection (i), is amended by adding the words “or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause.” is added at the end to include an additional provision of possible fire hazard situation that would require abatement.

Subsection (i) is new and added to clarify that, materials other than those approved by this chapter and those maintained in good and safe condition, could constitute substandard conditions. This is necessary to ensure that materials utilized are of a known quality and comply with the requirements of their use. **Subsection (j)** is new and added to clarify that accumulation of specific materials could cause fire, health and safety hazards, which constitute an unsafe or substandard condition. This is because the conditions listed pose hazards to the occupant as well as other residents within the park.

Subsection (k) is new text, added to clarify that exits that are improper or inadequate could constitute a substandard condition. This is necessary because required exit facilities are necessary for the safety of the occupants.

Amend Section 1608.

This section is renumbered to Section 1114, and Section 1738 is relocated to this section. Each is relocated to be placed in closer proximity to other related requirements.

The title of this section is amended by striking the word “Animals”, and adding the words “and Building Components” because building components are included with accessory buildings or structures by definition.

Throughout this section, the word “mobilehome” are struck so the provisions will not be limited to mobilehome applications and the words “or building component” are added after the words “accessory building or structure” because building components are included with accessory buildings or structures by definition. Where necessary the subsections have been amended to change the conditional statements from positive to negative creating a definitive condition for noncompliance to reflect the grammatical and sentence structure changes of the introductory paragraph.

The introductory paragraph is amended by deleting the contents of the previous section because of the renumbering of the sections for this rulemaking. The relocated text is amended to maintain consistency with the definitions for accessory buildings or structures and building components as defined in article 1. It is further amended by rewriting and relocating the text relating to the welfare of the occupants and the declaration of a structure as substandard for clarity. The introduction is also amended because it is no longer in a list format. Other amendments are editorial for improved readability and the correction of sentence structure.

Subsection (a) is amended editorially.

Subsection (a)(1) is amended by replacing the word “improper” with “lack of or inoperable or defective” to provide language that is more specific and describes the qualification.

Subsection (a)(2), previously subsection (a)(12), is amended by replacing the word “improper” with “lack of or inoperable or defective” to provide language that is more specific and describes the qualification.

Subsection (a)(3), previously subsection (a)(2) is amended by inserting the words “or inadequate” because an inadequate supply of hot or cold water could also constitute a substandard condition.

Subsections (a)(4) through (a)(6) are renumbered from subsections (b)(8) through (b)(10), there are no other amendments.

Subsection (a)(7), previously subsection (a)(10) is amended by striking the words “Lack of” and adding the words “or defective” before the word “connection” because a defective connection of a plumbing fixture to a sewage disposal system could render an accessory building or structure substandard.

Subsection (11) is struck because it is not applicable to accessory buildings or structures, or building components.

Subsection (b), is amended editorially.

Subsection (b)(1) is amended by adding the words “or stabilizing devices.” after the word “foundation” because accessory buildings or structures and building components may be installed on foundation systems or stabilizing devices and deteriorated or inadequate support would constitute a hazardous, substandard condition.

Subsections (b) (2), through (9) have no amendments.

Subsection (b)(10), previously subsection (a)(4), is amended by replacing the words “improper operation of” with “lack of, inoperable, or defective” because the lack of adequate, or defective ventilation can constitute a substandard condition where fumes, gases, or moisture would accumulate..

Subsection (b)(11), previously subsection (a)(5), has no other amendments.

Subsection (c) is amended by providing reference to the definition of nuisance. This is necessary to avoid conflicting definitions.

Subsection (d) is added to introduce electrical hazards and those conditions considered substandard.

Subsection (d)(1) is renumbered subsection (d) and amended to change the conditional statements from positive to negative creating a definitive condition for noncompliance . This is done because of the grammatical changes in the introductory paragraph.

Subsection (d)(2), previously subsection (a)(6), is amended by adding the words “or inoperable or defective” to provide language that is more specific and describes the qualification.

Subsection (e) is amended to change the conditional statements from positive to negative creating a definitive condition for noncompliance. This is done because of the grammatical changes in the introductory paragraph.

Subsection (f) is amended to change the conditional statements from positive to negative creating a definitive condition for noncompliance. This is done because of the grammatical changes in the introductory paragraph.

Subsection (f)(1), previously subsection (a)(3), is amended by replacing the word “improper” with “inoperable or defective” to provide language that is more specific and describes the qualification.

Subsection (g) is amended editorially.

Subsections (g) (1), through (4) have no amendments.

Subsection (h) is amended as stated in the beginning of this section.

Subsection (i) is amended by replacing the word “article” with the word “chapter” because construction materials are found throughout this chapter.

Subsection (j) has no amendments.

Subsection (k) is amended by replacing the word “article” with the word “chapter” because exit requirements are specified throughout this chapter and are not limited to this article. The words “and regulations in effect” are added because the exit requirements may have changed since original construction and they exist in regulations as well as in the laws. Finally, the last sentence regarding unsafe conditions is struck because it does not identify a specific substandard condition and it is already covered in previous subsections.

Subsection (l) is amended by replacing the word “article” with the word “chapter” because fire construction requirements are specified throughout the chapter and are not limited to this article.

Subsection (m) is amended editorially.

Subsection (n) is amended by replacing the word “article” with the word “chapter” because room and space dimensions are specified throughout the chapter and are not limited to this article.

Amend Section 1610

The title of this section is amended by striking the existing title and replacing it with the title of section 1740. Original section 1610 is relocated to section 1116 to put the existing park area requirements in article 2, General Park Requirements. Section 1740 is relocated to section 1610 to put abatement requirements in article 10, Violations, Abatement, and Hearings.

Subsection (a) is amended by adding the words “The registered owner of a unit,” at the beginning of the paragraph. This is necessary to identify the person, as required in HSC 18420, who is responsible to abate the violation. The words “building component” are added because building components are the responsibility of the registered owner and subject to inspection and violation notices. The text “of any provisions of, or of any order issued by the enforcement agency pursuant to this article, or if a nuisance exists in any such building or structure or upon the premises on which it is situated,” is deleted because it is confusing and unnecessary.

Subsection (b) is added to distinguish the responsibility for correction of violations for park property and buildings from the responsibility for the unit, or accessory building or structure, as described in the previous subsection, on a lot. This is necessary to identify the person, as required in HSC 18420, who is responsible to abate the violation.

The last sentence is deleted because it is defined in HSC 18404 and is unnecessary.

HSC Section 18552 is added to the reference note because it refers to requirements for mobilehomes and accessory buildings or structures.

Adopt Section 1611.

This section is relocated from section 1710 because it covers violation and abatement requirements found in article 10. It is subdivided and numbered because new text is added.

Throughout this section, the words “mobilehome or recreational vehicle” are replaced with “unit, as well as accessory building or structure, or building component, or property, or park, or permanent building” because any one of these items could be in violation and would need to be included for enforcement. Recreational vehicles are no longer regulated in this chapter, and the word “unit” is defined as a mobilehome or manufactured home.

The title is amended by deleting the text “Inspection and” and adding the text “of Violation and Orders to Correct” to more accurately reflect the contents of the section.

Subsections (a)(1) through (a)(2) is language that has been rewritten and amended. It is shown as new text because the traditional underline and strikeout format would be too confusing. The changes are detailed below.

Subsection (a)(1) is amended to include the provision that whenever a violation is discovered by the enforcement agency, it is required to provide a written notice of that violation to the person responsible for correction.

Subsection (a)(2) is the amended text from the last paragraph of the existing section. It is amended to require a “written” notice for the identified violations to include a reference to the regulation or law being violated. This is necessary to provide the cited person with the proper means of identifying the violations and the ways to correct them. It also prevents an enforcement agency from arbitrarily citing violations beyond their authority as defined in HSC 18300. It is further amended to allow the enforcement agency to determine the time for

abatement or correction based on the severity of the violation. This is necessary to align the regulations with the statutes (HSC 18402) that allows 5 days or a time determined by the enforcement agency. The sentence regarding identification numbers for the unit is relocated to new subsection (3) because it applies specifically to identification of a unit for determining ownership.

Subsection (a)(3) is relocated from existing text of section 1710 and amended. It is presented as new underlined text so it will be less confusing. Changes to the text are editorial.

Subsection (a)(4) is added to provide requirements that when a unit, accessory building or structure or permanent building, used for human habitation, is in such a hazardous condition that the lives of the occupants are threatened, the enforcement agency must post the unit uninhabitable for the safety of the occupants and it shall not be occupied until deemed safe by the enforcement agency. This is necessary because it is the duty of the enforcement agency to protect of the public.

The following HSC sections are added to the authority note; 18610 because it directs the department to adopt regulations for the construction, use and maintenance of parks and lots, 18620 because it directs the department to adopt regulations regarding the construction of buildings in parks, 18630 because it directs the department to adopt regulations regarding plumbing in parks, 18640 because it directs the department to adopt regulations regarding toilets, showers and laundry facilities in parks, 18670 because it directs the department to adopt regulations regarding electrical in parks,

Amend Section 1612.

The text of Section 1612 is deleted because the provisions exist in Section 1108 and these would be a duplication of requirements.

Section 1712 is relocated to this section because it contains proceedings for abatement of violations and belongs in Article 10, Violations, Abatement, and Hearings.

Throughout this section the words “mobilehome or recreational vehicle” are struck because they are incorporated into the definition of a unit.

The title is amended by replacing the text “Proceedings” with “Final Notice Requirements” to more accurately reflect the contents of the section.

Subsection (a) is amended by striking the words “expiration of 30 days after” and adding the words “specified in the” because the notice will specify the length of time allowed for abatement. This length of time varies with the severity of the violation and whether it is a general or maintenance violation. The text “against the cited person or person” is added to specify the party responsible for correction of the violation. The text “for the abatement of the mobile home or recreational vehicle” is deleted because not all violations relate to mobilehomes or RVs and it is unnecessary. The notice will specify the cited structure. It is also amended editorially.

Subsection (a)(1) is amended by deleting text that does not specify the cited person or procedures and replacing them with text that explicitly defines who shall receive a final notice to abate a violation. The text “intention to abate the mobilehome or recreational vehicle as a public nuisance” is deleted because not all violations relate to mobilehomes or RVs and it is unnecessary. The notice will specify the cited structure. The word “final” is added because this refers to the last notification of non-compliance and the specific timeline of ten days is deleted because it referred to the time before the actual abatement.

Subsection (a)(1)(A) through (G) are rewritten from the two paragraphs that follow for clarity. They are added so the criterion for the contents of the notice is consistent, complete and follows the other requirements of this chapter and the applicable statutes. For instance in (a)(1)(G), the statement that any notice include a statement that any willful violation is a misdemeanor under section 18700 (HSC 18401)

The contents of the next two paragraphs is deleted because the requirements defined in them are incorporated into the subsection above, or defined in other subsections within this section.

Subsection (a)(2) is amended by adding the text “The final notice” because this section refers to the final notice requirements. The words “return receipt requested to the cited person” are added to assure that the owner of the unit, structure, or property is notified, and that the enforcement agency knows who is to receive notification. The word “legal” and “property” are added because it is the correct reference for the property owner. The words “or operator” is added after “owner”, and the word “property” replaces “land” to be more specific. The words “known address of the last” is added to clarify what is available to the enforcement agency and the word “or” replaces “and” because the legal owner of a unit will only occur on private property. The words “cited unit” and “unit” are added for clarity and the word final is added as stated above.

Subsection (a)(3) is amended by adding the words “this final” before the word “notice”, and striking the words “as aforesaid” after the word “notice” for clarity. The word “therewith” is replaced with the words “with the affidavit” to be more specific. There are editorial corrections to correct gender references, to clarify vague terms, and to correct spelling.

The Authority Note is added with this relocated section.

Adopt Section 1613.

This section is not new it is relocated from Section 1714 because it is related to Abatement, Violations, and Hearings in Article 10.

Throughout this section the words “mobilehome or recreational vehicle” are struck because “mobilehome” and “recreational vehicle” are included in the definition of unit.

The title is amended by adding the text “Notice of Time and Place for Hearing” to accurately define the contents of this section.

Subsection (a) is amended by deleting the word “such” because it is unnecessary. The phrase “registered and/or legal owner of the mobilehome or recreational vehicle” are replaced with “cited person” because other structures may be cited. The text “and the owner of the land on which the mobile home or recreational vehicle is located” is deleted because the only the cited person needs to request the hearing. It is not necessary for the property owner to also request the hearing. The word “final” is added prior to the word “notice” to alert the reader that this refers to the last notification of intention to abate. The words “the violation” are added to describe what is to be abated. The words “or any other board, commission” are struck because the enforcement agency designates the representative to conduct the hearings referenced in this article. This section is also amended editorially.

Subsection (a)(1) is not new text; it is subdivided from subsection (a). It is amended by adding the words “pursuant to this article” to clarify that these procedures only apply to the processes contained in this article. The word “final” is added prior to the word “notice” to alert the reader that this refers to the last notification of intention to abate. The word “violation” replaces the words “mobilehome or recreational vehicle” because it is the violation that requires abatement not necessarily the unit. It is also amended to correct spelling errors.

The paragraph allowing a property owner to submit a sworn statement denying knowledge of the presence of a unit on his or her property is deleted because even if the owner was unaware of the violation, related to this article, on his or her property, the violation would still exist and would have to be abated. A hearing would not alter the demand for correction.

Subsection (b) is amended by adding the text “from the cited person or entity” to identify the person that may request the hearing. The reference to the property owner denial of responsibility is deleted as noted in the previous section. The requirement for the hearing to be held within 60 days is added to provide both the enforcement agency and the cited person sufficient time to prepare for the hearing and language is added to provide written notification of the time and place of the hearing to the petitioner with in 20 days to again allow the

petitioner and enforcement agency preparation time. This subsection also amended to clarify the language that the request for a hearing will delay of action by the enforcement agency until after the hearing. This is necessary to make the procedures clear and specific to reduce misunderstanding.

Subsection (c) is added to provide a reference for further information regarding hearings related to maintenance violations. This is necessary because of the different procedures for a maintenance violation and as a convenience.

Subsection (d) is added to that when a violation represents an immediate risk to health and safety; a hearing may not be requested. This is necessary because any delay in the correction of immediate health or safety violations may cause serious injury.

Subsection (e) is the last paragraph of existing subsection (a) and is amended by clarifying that the request is for a hearing and to allow the enforcement agency the discretion to continue the abatement process. It is also amended editorially and to correct spelling errors.

Amend Section 1614.

The title of this section is amended by striking the existing text and adding “Notice of Time and Place of Hearing” to the title. This is necessary to accurately reflect the contents of the section.

The existing section 1614 is deleted and relocated to Section 1118 because it is related to the General Park Requirements contained in Article 2 of this chapter. Section 1716 is relocated to this section because it is related to Violations, Abatement, and Proceedings of this chapter.

Throughout this section, the words “mobilehome or recreational vehicle” are struck because “mobilehome” is a limited term, and these regulations no longer pertain to recreational vehicles.

This section is amended by adding words “related to a violation” to specify that the subject of this section relates to hearings for violations. Section number “1712” is replaced with the correct number “1612”, followed by “to all persons served pursuant to that section”. This is necessary to provide a notice to all persons involved of the location and time of the hearing to provide them the opportunity to appear. Language is also added that if the person requesting the conference does not appear, the enforcement agency has the authority to proceed with the abatement. This is necessary to provide to provide a means to protest the violation notice and the means for the enforcement agency to abate the violation.

Adopt Section 1615.

Section 1718 is relocated to new Section 1615 because it is related to Violations, Abatement, and Proceedings in Article 10 of this chapter, and is related to the hearing procedure provisions in Sections 1612, 1613, and 1614.

Throughout this section the words “mobilehome or recreational vehicle” are struck because “mobilehome” is a limiting term and is replaced with the word unit to include multi-unit manufactured housing in the description.

Subsection (a) is amended by adding language that is more specific and written to minimize misunderstanding. Text is added to identify the time and place “of the hearing”. The words “the hearing officer” replace the text “fixed in said notice, the authorized representative of the enforcement agency, or other board, commission, or official authorized to conduct such hearings” for clarity and easier understanding of the person conducting the hearing. Language is added to identify the people that can give testimony at the hearing and that the enforcement agency must give its evidence to the hearing officer prior to the hearing. Text relating to mobilehomes and RVs and the cost to repair them is deleted because violations may occur that are not related to mobilehomes and RVs and the violation notice will identify what is in violation and the enforcement agency is not responsible for determining the costs of repair, reconstruction, or removal.

Subsection (b) is added to clarify is the person requesting the hearing does not appear, the enforcement agency may immediately proceed with the abatement. This is necessary because the enforcement agency has already determined the violation requires abatement and since no testimony has been presented to the contrary the proceedings must continue.

Subsection (c) is not new; it is newly subdivided from subsection (a). It is amended by adding the words, “Within 10 days after” prior to the word “conclusion” to provide a reasonable time frame for the petitioner to expect a decision of the hearing. The words “board, commission” are replaced with “representative” because only the enforcement agency or their representative conducts the hearing. The words “written” and “and decision” are added to make the findings of the hearing historical. Finally, language is added to require that all parties be notified of the results of the findings, and that the official or representative conducting the hearing may modify or overrule the original order, based on information presented at the hearing and may set new dates and schedules for compliance. This is necessary to allow timely and just decisions for the benefit of all interested parties and allow for the time of the hearing process. It is also amended editorially for clarity.

The last sentence is deleted because it deals strictly with mobilehomes and RVs and violations may occur with other structures. Violations will be identified in the final notice of violation.

Subsection (d) is amended by adding language that the hearing officer may order the posting of the written decision of the hearing in a conspicuous place in the park to notify the residents of the park of the results.

Amend Section 1616.

Section 1616 is deleted because it duplicates text in existing section 1104.

Section 1720 is renumbered to section 1616 because it is related to Violations, Abatement, and Proceedings in Article 10 of this chapter, and is a continuation of provisions in Sections 1612, 1613, 1614, and 1615.

The title of the section is amended to the current title of Section 1720.

This section is amended by adding the words “cited person” to allow the person cited, who may not be the owner, who objects to the hearing findings or proceedings, the opportunity to bring an action in any court within 30 days of the posting of the new order. The words “board, commission or official” are replaced with “hearing officer” because the hearing officer would be conducting the hearing. The word “nuisance” is replaced with “violation” because it is more accurate. The word “bring” replaces “being” to correct an error. The last part of the paragraph is replaced with “receipt of the decision” because the person who has objections must receive the decision, not find it posted to the unit at a later date, in order to bring a court action. This section is also amended editorially for clarity and to correct spelling.

Health and Safety Code sections 18300 and 18605 were relocated to the Authority Note and section 18605 is relocated to the Reference Note from the notes of relocated section 1720 of this chapter. This is necessary to maintain the previous references.

Adopt Section 1617.

Section 1722 is relocated to new Section number 1617 because it is related to Violations, Abatement, and Proceedings in Article 10 of this chapter, and is related to the provisions in Sections 1612, 1613, 1614, and 1615.

The title is amended by replacing the existing title with “Consequences of Failure to Abate.” This is a more accurate description of the contents of the section.

Subsection (a) is not new, it is the existing text given a subsection letter because there are three subsections being added to this section. It is amended by replacing the words “shall be” with “is” because it places the sentence tense in the present. The words “mobilehome or recreational vehicle as a nuisance” are replaced with “violation” to broaden the enforcement

of this section to include the abatement of all violations. The words “such mobilehome or recreational vehicle” are replaced with “that violation” to encompass all violations of these regulations that may occur. The words “30 days” are replaced with “the time period allowed in the order” because the time for correction of violations differ in accordance with the severity and health and safety impact on the park and residents and the violations correction timelines defined in statute (HSC 18420). The words “shall have” are replaced with “has” to place the requirement in the present tense. Finally, this subsection is amended at the end by adding language to allow the enforcement agency to initiate any action to abate the violation including seeking a court order for abatement by a receiver. This is necessary to provide the enforcement agency with the ability to seek necessary legal remedies to assure abatement of serious violations and ensure the safety of the residents of the park.

Subsection (b) is added text to extend the period of time for compliance, if after a reinspection the enforcement agency determines that there has been reasonable progress or the delay has been caused by circumstances beyond the control of the cited person. This is necessary to allow the enforcement agency to authorize extension of the time for correction for extenuating circumstances without the cited person incurring additional penalties.

Subsection (c) is added text to allow the enforcement agency to initiate any appropriate action or proceeding to abate a violation that poses an imminent hazard representing an immediate risk to life, health, or safety, if it is not corrected by the allotted time. This is necessary, because sometimes a violation is dangerous enough to warrant immediate correction for the public health and safety, and the regulations must provide an ultimate correction method for those situations.

Health and Safety Code sections 18300 and 18605 were relocated to the Authority Note and section 18605 is relocated to the Reference Note from the notes of relocated section 1722 of this chapter. This is necessary to maintain the previous references.

Amend Section 1618.

Existing section 1618 is deleted because it duplicates language in Section 1106.

Section 1724 is relocated to Section 1618 because it is related to Violations, Abatement, and Proceedings, Article 10 of this chapter.

The title is changed from the deleted section title to “responsibility for costs”. This is a more accurate description of the contents of the section.

This section is amended by separating it into four subsections. Throughout this section the words “mobilehome or recreational vehicle” are struck because mobilehomes and recreational vehicles are incorporated in the definition of the term “unit”.

Subsection (a) is amended by striking the words “and/or legal” because HSC 18420 states *the registered owner* is responsible for violation correction. Language is added to hold the registered owner of the unit liable for all costs for abatement for a unit, and the legal owner of the property or park is responsible for costs for abatement related to a unit, accessory building or structure, or violations on the unit’s space that are attributable to the registered owner or occupant. This is necessary because the department does not have the means to recoup costs for the abatement of a structure the way a park does. Civil Code 798.87 provides that substantial violation of a park rule shall be deemed a nuisance and Civil Code section 3491 provides that one of the remedies for a nuisance is civil action. This allows the park to fund the costs of abatement.

It is necessary to assign a responsible person so the violation, associated with the unit, will be abated.

Subsection (b) is amended by adding language that the legal owner of the property is liable for abatement costs in and on the property, park, permanent building, accessory building or structure, or building component under their ownership or control.

Subsection (c) is added to present some of the possible costs for abatement. This addition is necessary to clarify the responsible parties and minimize misunderstanding of liability.

Subsection (d) is amended by adding the word “unit” where the words “mobilehome or recreational vehicle” have been struck because they are included in the definition of a unit. Finally, the word “land” is replaced with “property” because it is a more accurate term.

Health and Safety Code sections 18300 and 18605 were relocated to the Authority Note and section 18605 is relocated to the Reference Note from the notes of relocated section 1722 of this chapter. This is necessary to maintain the previous references.

Adopt Section 1619.

Section 1726 is relocated to new section 1619 because it is related to Violations, Abatement, and Proceedings, Article 10 of this chapter.

Subsection (a) is amended by replacing the words “mobilehome or recreational vehicle” with “unit, permanent building, accessory building or structure or building component,” as structures that could be cited for violations. The words “abated as” are replaced with “removed due to the existence of violations or” because this section covers scenarios in which structures cannot be repaired and must be removed. The words “in a manner consistent with the law.” replaces “to a scrap yard and scrapped. It shall not thereafter be reconstructed or made operable.” because there is no authority or reason to require that a unit or structure be removed only to a scrap yard and other sections of law dictate the process of removal.

Subsection (b) is amended by replacing the words “abated as” with “remove an MH-unit” because it includes a description of the other type of unit that has title and indicia, and addresses and clarifies that this is the removal of the unit, not the abatement. The words “, if available” are added after the word “labels”, because in a situation such as the removal of a unit, the titling and registration and indicia may not be available, so should not be required. The word “abate” is replaced with “remove” because this section addresses removal not abating or correction. Finally, the words “mobilehome or recreational vehicle” are replaced with “unit” so the requirements can apply to “unit” as defined in Section 1002.

Repeal Section 1620.

This section is deleted because the language is a duplication of Section 1106.

Repeal Section 1622.

This section is deleted because no language exists and it confuses the reader.

Repeal Section 1624.

This section is deleted because no language exists and it confuses the reader.

Repeal Section 1626.

This section is deleted because no language exists and it confuses the reader.

Repeal Section 1628.

This section is deleted because the language is a duplication of Section 1496.

Repeal Section 1630.

This section is deleted because no language exists and it confuses the reader.

Repeal Section 1632.

This section is deleted because no language exists and it confuses the reader.

Repeal Section 1634.

This section is deleted because the title, references, and some subsections are deleted and the other subsections are relocated.

Subsection (a) is deleted because it duplicates text of section 1328.

Subsection 1634(b) is relocated to Subsection 1000(c), because it is related to Administration and Enforcement for this Chapter.

Subsection 1634(c) is deleted because it duplicates the requirements in sections 1228 and 1280.

Subsections 1634(d) and (e) are relocated to Section 1352(g) and (h) because they are related to electrical requirements.

Repeal Section 1636.

This section is deleted because it duplicates the language in Section 1382.

Repeal Section 1640.

This section is relocated to Section 1605 to place it in closer proximity to other substandard and abatement sections of Article 10.

Repeal Section 1642.

This section is deleted because it duplicates the language in Section 1740, which is now renumbered as Section 1610 with this rulemaking.

Repeal Section 1644.

This section is relocated to Section 1188 to place it in closer proximity to other electrical requirement sections of Article 3.

Repeal Section 1646.

This section is relocated to Section 1183 to place it in closer proximity to other electrical requirement sections of Article 3.

Repeal Section 1648.

This section is relocated to new Section 1163 to place it in closer proximity to other electrical requirement sections of Article 3.

Repeal Section 1650.

Subsection 1650(b) is deleted because it duplicates language in subsection 1360(a).

Subsections (a) and (c) are relocated to Section 1185 to place them in closer proximity to other electrical requirement sections of Article 3.

Repeal Section 1652.

This section is deleted because no language exists and it confuses the reader.

Repeal Section 1654.

This section is relocated to new Section 1190 to place it in closer proximity to other electrical requirement sections of Article 3.

Repeal Section 1656.

This section is deleted because it duplicates the language in Section 1206 and 1634(b), which is now renumbered as Section 1000(c) with this rulemaking.

Repeal Section 1658.

This section is deleted because it duplicates the language in Section 1220(d).

Repeal Section 1660.

This section is deleted because it duplicates the language in Section 1226(b).

Repeal Section 1662.

This section is deleted because it duplicates the language in Section 1354(a).

Repeal Section 1664.

This section is relocated to new Section 1211(a) to place it in closer proximity to related fuel-gas requirements in Article 4.

Repeal Section 1666.

This section is deleted because the provisions of Article 82 of the California fire Code, the adopted code utilized by liquefied propane distributors, which is referenced in section 1211 of this chapter, more clearly defines these requirements.

Repeal Section 1668.

This section is deleted because the provisions of Article 82 of the California fire Code, the adopted code utilized by liquefied propane distributors, which is referenced in section 1211 of this chapter, more clearly defines these requirements.

Repeal Section 1670.

This section is relocated to Section 1212(a) to place it in closer proximity to other fuel-gas requirement sections of Article 4.

Repeal Section 1672.

This section is relocated to new Section 1236 to place it in closer proximity to other fuel-gas requirement sections of Article 4.

Repeal Section 1674.

This section is relocated to new Section 1112 to place it in closer proximity to other general park requirement sections of Article 2.

Repeal Section 1676.

This section is deleted because it duplicates the language in Section 1258.

Repeal Section 1678.

This section is deleted because it duplicates the language in Section 1260.

Repeal Section 1680.

This section title, authority and reference are deleted because there is no longer any content.

Subsection (a) is deleted because it duplicates language in Section 1358.

Subsection (b) is deleted because it is relocated to section 1358(b) to place it in proximity of the installation requirements of Article 7.

Subsection (c) is relocated to Section 1358(d) to place it in closer proximity to other installation requirement sections of Article 7.

Repeal Section 1682.

This section is deleted because it duplicates the language in Section 1356.

Repeal Section 1684.

This section is relocated to new Section 1305 to place it in closer proximity to other fire protection requirement sections of Article 6.

Repeal Section 1686.

This section is relocated to new Section 1122 to place it in closer proximity to other general park requirement sections of Article 2.

Repeal Section 1688.

This section is deleted because maintaining the area free from rubbish and other fire hazards is already covered in Article 2.

Repeal Section 1690.

This section is relocated to new Section 1120 to place it in closer proximity to other general park requirement sections of Article 2.

Repeal Section 1692.

This section is deleted because it duplicates language in Section 1670, which is renumbered to section 1212(a) with this rulemaking.

Repeal Section 1694.

This section is relocated to new Section 1314 to place it in closer proximity to other fire protection requirement sections of Article 6.

Repeal Section 1696.

This section is relocated to new Section 1120(b) to place it in closer proximity to other general park requirement sections of Article 2.

Repeal Section 1698.

This section is relocated to new Section 1234 to place it in closer proximity to other fuel gas and oil requirement sections of Article 4.

Repeal Section 1700.

Subsection 1700(a) is deleted because it duplicates the provisions of Health and Safety Code section 18008.7.

Subsection 1700(b) is deleted because it duplicates the some language and provisions of Health and Safety Code 18010 and sections 1607 and 1112 of this chapter.

Repeal Section 1702.

This section is deleted because no language exists and it confuses the reader.

Repeal Section 1704.

This section is relocated to Section 1606 to place it in closer proximity to other violation and abatement requirement sections of Article 10.

Repeal Section 1706.

This section is relocated to new Section 1607 to place it in closer proximity to other violation and abatement requirement sections of Article 10.

Repeal Section 1708.

This section is deleted because abatement is covered in Section 1610 and this is no longer necessary.

Repeal Section 1710.

This section is relocated to new Section 1611 to place it in closer proximity to other violation and abatement requirement sections of Article 10.

Repeal Section 1712.

This section is relocated to Section 1612 to place it in closer proximity to other violation and abatement requirement sections of Article 10.

Repeal Section 1714.

This section is relocated to new Section 1613 to place it in closer proximity to other violation and abatement requirement sections of Article 10.

Repeal Section 1716.

This section is relocated to Section 1614 to place it in closer proximity to other violation and abatement requirement sections of Article 10.

Repeal Section 1718.

This section is relocated to new Section 1615 to place it in closer proximity to other violation and abatement requirement sections of Article 10.

Repeal Section 1720.

This section is relocated to Section 1616 to place it in closer proximity to other violation and abatement requirement sections of Article 10.

Repeal Section 1722.

This section is relocated to new Section 1617 to place it in closer proximity to other violation and abatement requirement sections of Article 10.

Repeal Section 1724.

This section is relocated to Section 1618 to place it in closer proximity to other violation and abatement requirement sections of Article 10.

Repeal Section 1726.

This section is relocated to new Section 1619 to place it in closer proximity to other violation and abatement requirement sections of Article 10.

Repeal Section 1728.

This section is deleted because it duplicates language in Section 1472.

Repeal Section 1730.

This section is deleted because it duplicates language in Section 1474.

Repeal Section 1732.

This section is deleted because it duplicates language in Section 1428.

Repeal Section 1734.

This section is deleted because it duplicates language in Section 1478.

Repeal Section 1735.

This section is deleted because it duplicates language in Section 1478(e).

Repeal Section 1736.

This section is deleted because it duplicates language in multiple sections of Article 9.

Repeal Section 1738.

This section is relocated to Section 1608 to place it in closer proximity to other violation and abatement requirement sections of Article 10.

Repeal Section 1740.

This section is relocated to Section 1610 to place it in closer proximity to other violation and abatement requirement sections of Article 10.